

April 2013

Questions and Answers: APHIS Form 7060 Horse Protection Act

Q. What is an APHIS Form 7060, as it pertains to the Horse Protection Act?

A. An APHIS Form 7060 is an official warning of an alleged violation of the Horse Protection Act, and it is a notice to an individual or business that APHIS may seek civil or criminal penalties in the future if he or she violates this federal law again.

Q. What is the legal effect of an APHIS Form 7060?

A. An APHIS Form 7060 is an administrative action. Administrative actions are routinely used for minor infractions instead of other forms of legal enforcement such as civil penalties, sanctions or criminal prosecution. Official warnings may also be used in other circumstances, including when APHIS determines that it would not be an effective use of its limited resources to pursue other forms of legal enforcement.

Q. What are the consequences if I receive an APHIS Form 7060 and then commit subsequent violations?

A. After providing you with an opportunity for a hearing, APHIS may pursue civil penalties or other sanctions for the violations described in your APHIS Form 7060, in addition to any penalties the agency may pursue for the subsequent violations. The Horse

Protection Act provides for civil penalties of up to \$2,200 per violation; it provides for disqualification from showing or exhibiting any horse and for judging or managing any horse show, exhibition, sale or auction for a period of not less than one year for the first violation and not less than five years for any subsequent violation.

Q. What recourses are available to me if I receive an APHIS Form 7060?

A. The determination to issue an APHIS Form 7060 is based on the facts and circumstances surrounding the alleged violation. Issuing you an official warning does not constitute a finding of violation by the agency, and therefore there is no requirement for a notice or hearing.

Additional Information

For more information contact:

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